

Appln No. 10/750,501
Amdt date April 13, 2004
Reply to Office action of N/A

REMARKS/ARGUMENTS

Claims 1-27 are pending in this application. By this amendment, Applicant has amended claim 13 solely to correct a typographical error, and has added new claims 22-27. The amendments and new claims find full support in the original specification, claims and drawings. No new matter is presented. Accordingly, Applicant respectfully requests entry of the above amendments and consideration of the following remarks prior to examination of this application.

In the parent application, U.S. Patent Application No. 10/118,680, the Examiner rejected claims 15, 17-19, 22-29, 31-34 and 36-40 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,325,797 to Stewart et al., but allowed claim 30 and indicated that claims 20, 21 and 35 were drawn to allowable subject matter. Accordingly, Applicant amended claim 15 to include the limitations of claim 20, amended claim 31 to include the limitations of claim 35, and amended claim 21 to depend from claim 15 rather than claim 20, which Applicant cancelled. Claims 1-21 in this application correspond to claims 15, 17-19, 21, 23-29, 31-34 and 36-40 as they were prior to the amendment Applicant filed on October 14, 2003 in the parent application.

Each of independent claims 1, 13, 22 and 25 in the present application recite the step of "contacting the inner circumference of the tubular region with at least a portion of the outer circumference of the generally circular curve." This is nowhere taught or suggested by Stewart. Rather, Stewart discloses positioning the loop "about the pulmonary vein

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ostium." (Column 7, lines 53-64; Figures 2A, 2B and 4B). Consequently, Stewart teaches contacting the outer circumference of the pulmonary vein ostium, and does not teach or suggest contacting the inner circumference of a tubular region as expressly claimed by Applicant.

In addition, new claims 24 and 27 recite rotation of the catheter in a direction such that the tip electrode is pulled rather than pushed into the rotation. Stewart nowhere discloses or suggests any such rotation of the catheter. In fact, Stewart fails to disclose any rotation of the catheter. In the parent application, the Examiner stated only that it would have been obvious to rotate the catheter in order to generate the continuous lesion that Stewart desired. Because the Examiner has not identified any reference reciting the rotation step, the Examiner appears to have taken official notice of a fact outside the record. If the Examiner maintains this position, Applicant respectfully requests that he provide support for the position, in keeping with M.P.E.P. § 2144.03.

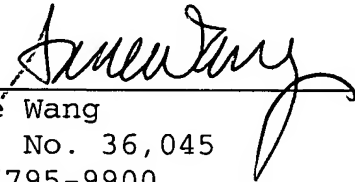
Also, new claim 25 recites introduction of an ablation assembly into the tubular region. The ablation assembly claimed has a generally circularly curved main region and a generally straight distal region extending substantially tangentially to the main region. This feature is nowhere taught or suggested by Stewart.

For all the above reasons, Applicant respectfully submits that all of pending claims 1-27 are patentable over Stewart and are in condition for allowance. Therefore, Applicant respectfully requests entry of the above amendments prior to

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examination of this application, and a timely indication of allowance. If there are any further issues that can be addressed by telephone, Applicant invites the Examiner to contact the undersigned at the number indicated below.

Respectfully submitted,
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